

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:11-cr-00178-TWP-KPF-1
)	
KEITH A. FORD,)	
)	
Defendant.)	

ENTRY DENYING DEFENDANT’S REQUEST TO SET ASIDE FINE

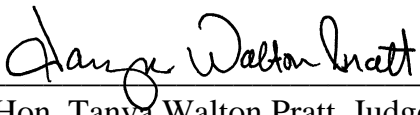
On March 15, 2012, the Court entered Judgment in this case and ordered the Defendant sentenced to a term of 24 months imprisonment (with credit for time served), a \$100.00 Special Assessment, and a \$500.00 fine. On or about January 11, 2013, the Defendant submitted a letter to the Court requesting that the Court waive the fine on the basis that the Defendant was released from prison and lacks sufficient funds to pay the remaining fine (Dkt. 67).

The Court lacks jurisdiction to waive the fine. A district court has limited power to modify a fine after final judgment has been entered. Under 18 U.S.C. § 3572(c), there are three circumstances when a sentence to pay a fine may be modified: “Notwithstanding the fact that a sentence to pay a fine can subsequently be – (1) modified or remitted under section 3573; (2) corrected under rule 35 of the Federal Rules of Criminal Procedure and section 3742; or (3) appealed and modified under section 3742; a judgment that includes such a sentence is a final judgment for all other purposes.” 18 U.S.C. § 3572.

Because none of these circumstances apply, the Defendant’s request to set aside the fine is **DENIED.**

SO ORDERED.

Date: 02/19/2013 _____



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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